IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

WP(C).No. 20303 of 2006(P)

PETITIONERS:
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1. M. ABOOBACKER, P.D. TEACHER,
G.H.S.S., KUNNAKKAVU, PERINTHALMANNA,
MALAPPURAM DISTRICT.

2. V. NARAYANAN, P.D. TEACHER,
G.M.U.P. SCHOOL, KARIPPEL,
MALAPPURAM DISTRICT.

3. T.V. ABDUL GAFOOR, P.D. TEACHER,
G.G.V.H.S.S., VENGARA, MALAPPURAM DISTRICT.

4. JAFERALI CHOLAKKAPARAMBAN,
P.D. TEACHER, G.G.V.H.S.S., VENGARA,
MALAPPURAM DISTRICT.

BY ADV. SRI.K.JAJU BABU
SRT. M.U. VIJAYALAKSHMI
SRI.. BRIJESH MOHAN
SRI. T.R. SATHEESAN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, GOVT.SECRETARIAT,
TRIVANDRUM.

2. THE DEPUTY DIRECTOR OF EDUCATION,
MALAPPURAM.

***3. N.K.BALAN, HSA (ENGLISH) GGVHSS, VENGARA,**
MALAPPURAM DIST.

4. P.V. PRASANNA, HSA (ENGLISH), GGVHSS, THUVVUR,
MALAPPURAM DIST.

5. E.S.SUKUMARAN, HSA (ENGLISH), GGVHSS, VENGARA, MALAPPURAM DIST.

6. C.V. SHABU, HSA (ENGLISH), GHS, PURATHUR, MALAPPURAM DIST.

7. P.ABDUL RASHEED, HSA (ENGLISH), GHSS, OTHUKKUNGAL, MALAPPURAM DIST.

8. JAYASREE S., HSA (ENGLISH), GHSS, ATHAVANAD,MALAPPURAM DIST.

***ADDL. R3 TO R8 ARE IMPLEADED AS PER ORDER DATED 12/09/2006 IN IA NO. 12804/2006.**

BY ADV. SRI.N.P.SAMUEL
GOVERNMENT PLEADER SMT. M.R.SREELATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 20303/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER NO. A1/30219/05 DT. 6/12/2005 ISSUED BY THE R2, INCLUDING FINAL SENIORITY LIST OF QUALIFIED PD TEACHERS FOR PROMOTION TO THE POST OF HSA (ENGLISH) AS ON 30/09/05.

EXT.P2. COPY OF THE ORDER NO. A1/30219/2005 DT. 30/6/2006 ISSUED BY R2.

EXT.P3. COPY OF THE LETTER NO. A1/30219/2005 DT. 8/8/06 BY R2 TO THE HEADMASTER OF GHSS, KUNNAKKAVU.

True copy

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K.M.JOSEPH, J.

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WP.(C) No.20303 OF 2006

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Dated this the 12th day of March, 2007

JUDGMENT

Ext.P1 is the seniority list of PD teachers prepared for promotion to the post of HSA as on 30.9.2005. By Ext.P2, according to the petitioners, juniors of the petitioners have been promoted. Accordingly petitioner approached this court praying that petitioners may be directed to be promoted towards the available vacancies in Malappuram District as their admitted juniors have been given promotion as per Ext.P2. According to the learned counsel for the petitioners, vacancies have arisen subsequently in the year 2006-2007. In the light of the same, he prays that this court may direct that appointments may be made in accordance with law from Ext.P1 seniority list.

2. Heard Government Pleader also.

The writ petition is disposed of directing the second respondent to take steps to fill up the vacancies of HSA (English) in Malappuram District on the basis of the vacancies set apart for promotion in

accordance with law on the basis of the existing list within a period of two months from the date of receipt of a copy of this judgment. Regarding the seniority between the petitioners and the party respondents, it is for the petitioners to approach the appropriate authority, and to that extent I leave it open.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.